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Linton v. Moorhead, 209 Pa. 646. But the view of the court, that capacity to make an executory contract with reference to immovables, is necessarily determined by the same law, seems open to question. *Polson v. Stewart*, 167 Mass. 211. But see DICEY, CONF. OF LAWS, 517. The contract, in so far as it may create a personal obligation, should be governed by the *lex loci contractus* and relief in *personam* should be granted regardless of the law of the situs. *Finnes v. Selover, etc., Co.*, 102 Minn. 334. See *Polson v. Stewart, supra*. The form of the relief relates merely to the remedy and depends upon the law of the forum. Thus, a court of equity has power to order a conveyance of foreign land as a remedy for the breach of a merely personal obligation. *Lord Cranstown v. Johnston*, 3 Ves. 170; *Ex parte Pollard*, Mont. & C. 239. See *Scott v. Nesbitt*, 14 Ves. 438. The decree, however, is without force unless the defendant has, by the law of the situs, capacity to make the conveyance. The sovereign of the situs, moreover, must have consented that a deed should pass title wherever made. See 20 HARV. L. REV. 392. In civil law jurisdictions a conveyance of land is usually ineffective unless it is registered in the country of the situs. A foreign court cannot order such registry and cannot, therefore, irrespective of capacity, make an effective decree. See 21 HARV. L. REV. 210; 21 *ibid.* 354.

CONFLICT OF LAWS — LEGITIMACY AND ADOPTION — RIGHT TO INHERIT FROM ADOPTIVE PARENT'S RELATIVES. — A adopted B in Illinois, where a statute declares that "thenceforward the relation between such person and the adopted child shall be as to their legal rights and liabilities the same as if the relation of parent and child existed between them," except that the parent is not to inherit from the child. *Held*, that B cannot inherit land from A's deceased brother in Kansas. *Boaz v. Swinney*, 99 Pac. 621 (Kan.).

Without reference to its own law on this subject the court takes the sound position that as adoption statutes are in derogation of the common law rights of other relatives they are to be construed strictly, and not in accordance with Roman law, and that therefore the Illinois statute does not give the right claimed. For a discussion of these principles, see 22 HARV. L. REV. 372.

CONFLICT OF LAWS — RIGHT OF ACTION — STATUTORY RIGHT CONDITIONED ON COMMENCEMENT OF ACTION IN THE JURISDICTION. — The plaintiff was injured by the negligence of the defendant company in New Mexico. A statute of New Mexico provided that no liability should arise for personal injuries caused in the territory unless the injured party should commence an action in a court of the territory within one year. The plaintiff, without having brought suit in New Mexico, sued the defendant in Texas and recovered. The defendant contended that the Texas court, in maintaining jurisdiction of the case and refusing to enforce the New Mexico statute, denied the federal right guaranteed in the "full faith and credit" clause of the Constitution. *Held*, that no federal right was denied the defendant. *Atchison, etc., Ry. Co. v. Sowers*, U. S. Sup. Ct., March 1, 1909.

An action for personal injuries is transitory and may be brought wherever the defendant can be served. *Rafael v. Verelst*, 2 Wm. Bl. 1055. According to the weight of authority this is true even if the action is purely statutory. *Dennick v. R. R.*, 103 U. S. 11. It is for the law of the forum, not of the place conferring the right, to make it local or transitory; for the sovereign of the place conferring the right cannot confer it and at the same time take away the remedy in other jurisdictions. See 21 HARV. L. REV. 207. But a condition attached to the right by the sovereign conferring it follows it everywhere. *Davis v. Mills*, 194 U. S. 451. And in the principal case the statute did not forbid suits in foreign jurisdictions, but merely made the commencement of a suit in the territory a condition precedent to the right of action anywhere. Hence, unless the condition is invalid as denying due process, — and it is hard to see why it is, — the statute should be given full faith and credit in other states.